

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF ZONING APPEALS
OF THE CITY OF JASPER, INDIANA AND PUBLIC HEARING
August 6, 2014**

Chairman Jerry Uebelhor called the Regular Meeting of the Board of Zoning Appeals to order at 6:30 p.m. Secretary Dan Buck took roll call as follows:

Jerry Uebelhor, Chairman	-Present	Randy Mehringer	-Present
Josh Gunselman, Vice Chairman	-Present	Darla Blazey Director of Community Development/Planning	-Present
Dan Buck, Secretary	-Present	Renee Kabrick, City Attorney	-Present
Bob Cook	-Present		

PLEDGE OF ALLEGIANCE

Chairman Uebelhor led the Pledge of Allegiance.

APPROVAL OF THE MINUTES

Minutes of the July 9, 2014 regular meeting were reviewed. Randy Mehringer made a motion to approve the minutes as mailed. Bob Cook seconded it. Motion carried 5-0.

STATEMENT

Chairman Uebelhor read the following statement. "We are now ready to begin the public hearings scheduled for this evening. With respect to tonight's meeting and public hearings, we are hereby incorporating by reference into the record of tonight's meeting and public hearings, City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance of the City of Jasper, Indiana and its jurisdictional area" and any and all amendments thereto, and the City of Jasper Comprehensive Plan. Audio and videotapes of these proceedings are also incorporated by reference into this evening's record."

OLD BUSINESS

Petition of Dubois-Pike Credit Union for a variance from Section 16.02.130 (Setback Requirements)

Tabled.

NEW BUSINESS

Petition of Jamie Rucker for a variance from Section 16.02.140 (Height Regulations)

Jamie Rucker, of 1488 N. Shiloh Road, appeared before the Board to request a variance from Section 16.02.140 (Height Regulations) to construct a four car garage on his property with

a height of 22 feet. Mr. Rucker said he plans to put a lift in the garage to work on cars as a hobby. The garage would be approximately 1200 sq. feet on a 4.6 acre lot and would sit 25 feet off his front property line. The garage would have 10-foot doors.

Some discussion followed. With no remonstrators present, Randy Mehringer made a motion to close the public hearing. Vice Chairman Josh Gunselman seconded. The motion carried 5-0.

Randy Mehringer made a motion to grant a variance from Section 16.02.140 (Height Regulations) to construct a garage with a height not to exceed 22 feet. Vice Chairman Gunselman seconded. The motion carried 5-0.

Petition of Darren C. Patterson (as petitioner) Arthur C. Nordhoff (as owner) for a variance from Section 16.02.120 (Lot & Yard Requirements) and a variance from Section 16.02.140 (Height Regulations)

Darren C. Patterson petitioned for a variance from Section 16.02.120 (Lot & Yard Requirements) and a variance from Section 16.02.140 (Height Regulations) for an accessory building on the property at 2297 E. Gun Club Road. Mr. Patterson provided a handout for members of the board outlining the property and his plans for the accessory building. Mr. Patterson shared that he and his wife, Ann, now own said property, having closed on the sale since the public hearing was published. Mr. Patterson said plans are to tear down an abandoned residential home on the property and reconstruct a pole barn to store mowing equipment and other personal storage. The doors on the accessory building would be 10 to 12 feet in height in order to move equipment in and out. The approximate measurements would be 30 feet x 40 feet. Mr. Patterson has no current plans to build a residence on the property. Mr. Patterson also requested a variance to allow the height of the accessory building to be approximately 24 feet in case he decides to add cupolas.

After Mr. Patterson's presentation, City Attorney, Renee Kabrick, read a letter from the Jasper Rifle and Gun Club, the owner to the lot west of Mr. Patterson's. The letter stated the Gun Club does not object as long as the building is used to maintain the land. John Hochgesang, President of the Jasper Rifle and Gun Club, told the Board that the land Mr. Patterson had purchased was intended for farm use only and as long as that's what Mr. Patterson used the land for he had no objections. Mrs. Kabrick read the deed to the property which was originally written on January 9, 1950. She said her opinion was that the deed did not state limitations on what the land could be used for, but was leased for farming purposes.

Charles Kolb, Vice President of the Gun Club and Glen Ueblehor, owner of property next to Mr. Patterson's, also spoke to give a brief history of the land surrounding Mr. Patterson's property.

With no further discussion, Bob Cook made a motion to close the public hearing. Vice Chairman Gunselman seconded it. The motion carried 5-0.

Josh Gunselman made a motion to grant a variance from Section 16.02.120 (Lot & Yard Requirements) to allow an accessory building on a lot without a primary residence. Bob Cook seconded. The motion carried 5-0.

Secretary Gunselman made a motion to grant a variance from Section 16.02.140 (Height Regulations) to construct an accessory building not to exceed 24 feet. Bob Cook seconded it. The motion carried 5-0.

Petition of Bishop of the Catholic Diocese, Bishop Charles C. Thompson for a variance from Section 16.03.050 (Residential Zoning Sign Standards) and Section 16.035.060 (Business and Industrial Zoning Sign Standards)

Father Gary Kaiser, of Precious Blood Parish, spoke on behalf of the Bishop of the Catholic Diocese, regarding a variance from Section 16.03.050 (Residential Zoning Sign Standards) (2) Institutional Signs and Section 16.035.060 (Business and Industrial Zoning Sign Standards) (5) Free-Standing Individual Business Signs (c) Monument Sign on 1385 W. 6th Street-Precious Blood Catholic Church. Father Gary shared he felt it was time for Precious Blood to move to a digital sign to display multiple messages. He felt the digital sign was safer because people wouldn't have to be manually changing the sign in the cold or on the ice and the digital sign could be used to promote other church and city events, as well.

Father Gary was asked about the height of the existing sign and the new digital sign. Because Father Gary did not have answers for the exact measurements, he requested to table the discussion. Vice Chairman Gunselman made a motion to table the discussion. Bob Cook seconded. The motion carried 5-0.

Petition of Cash Waggner & Associates for a variance to allow multi-family housing in an I-2 (Heavy Industrial) zone and a variance from Section 16.03.050 (Off-Street Parking and Loading)

Peter Schwiegeraht, of Miller-Valentine Group, spoke on behalf of Cash Waggner & Associates to request a variance to allow multi-family housing in an I-2 (Heavy Industrial) zone and a variance from Section 16.03.050 (Off-Street Parking and Loading) (Table D) to allow a minimum of 80 parking spaces at 402 E. 13th Street, the former Jofco Building. Peter talked about Jasper's need for workforce and family-oriented housing. Miller-Valentine Group will be applying for a housing tax credit program as a funding source for this project to develop 60-70 units. Miller-Valentine Group will be applying for. Schwiegeraht talked about turning the 350,000 sq. foot warehouse into a housing space. Of the 60-70 units, about 15-20% will be one bedroom units, 60-70% will be two bedroom units, and a handful of units will be 3 bedroom.

Regarding the parking variance, Mr. Schwiegeraht shared that Jasper's Zoning Ordinance would require two parking spaces per unit, a minimum of 120 units if 60 units are created. Miller-Valentine is requesting a variance for 80 spaces, one space per unit plus 10-20 spaces for visitors. 40 spaces would be located on site and 40 committed on the rest of the master site plan

with an easement granted by property owner, Cash Waggoner and, he claimed, on-street parking surrounding the property.

Vice Chairman Gunselman shared his concern for the amount of parking spaces Miller-Valentine is estimating. Mr. Gunselman shared that with the majority of the units being two bedrooms, and the targeted client being young professionals, most units will have at least two cars and most units will want parking for friends and family. He believes Miller-Valentine is underestimating how much parking they will actually need.

Dave Fritch, representing Stac Material & Handling, spoke on behalf of the owner of the property adjacent to the existing Jofco building. Mr. Fritch said his client's concern was that the notice listed Lots 61 & 62. Although Mr. Schwiegeraht verbally agreed to not using those lots, Mr. Fritch requested that if the variance is granted, it would exclude Lots 61 & 62. Those lots are currently used to allow for semi-trucks to connect to their loading dock.

Mr. Schwiegeraht said those lots will be used for parking. He suggested a condition be added to the variance that says "allowed upon none of the spaces impacting the flow and function of their lot and their loading dock". Mr. Fritch said that he and his client are agreeable to that language. Mr. Schwiegeraht said he is confident that he can get all 80 parking spaces on the master plan parcels as a whole.

Bob Cook made a motion to close the public hearing. Randy Mehringer seconded. The motion carried 5-0.

Bob Cook made a motion to grant a variance to allow multi-family housing in an I-2 (Heavy Industrial) zone. Dan Buck seconded. The motion carried 5-0.

Bob Cook made a motion to grant a variance from Section 16.03.050 (Off-Street Parking and Loading) (Table D) to allow a minimum of 80 parking spaces as requested; provided, however, the location of any mentioned spaces shall not interfere with use of existing loading docks or access thereto which goes across Lots 61 and 62 of Emily Jutts Subdivision. Randy Mehringer seconded. The motion carried 4-1. Josh Gunselman opposed due to public safety concerns.

Petition of Daniel and Brandi Buck for a variance from Section 16.02.140 (Height Regulations)

Board member Dan Buck recused himself from the board. Mr. Buck, of 667 Keusch Lane, requested a height variance to construct an accessory building with a height of 24 for aesthetic purposes. The proposed building's roof pitch would match that of his house. The building will sit 12 feet behind the house and 38 feet from the back property line. The garage doors will be 8 feet tall and 10 feet wide. The second story will be attic with no intentions of a living space.

With no remonstrators present, Randy made a motion to close the public hearing. Bob Cook seconded. The motion carried 4-0.

Randy Mehringer made a motion to grant a variance from Section 16.02.140 (Height Regulations) to construct an accessory building with a height not to exceed 24 feet. Bob Cook seconded. Motion carried 4-0.

Zoning and Subdivision Control Ordinances Update

Community Development and Planning Director, Darla Blazey, shared with the Board that the July Steering Committee meeting was very productive and the zoning map was discussed. The information was taken from that meeting to create drafts of the new proposed zoning map and the unified code. There will be no Steering Committee meeting in August, but in September there will be a meeting to review said drafts.

ADJOURNMENT

With no further discussion, Bob Cook made a motion to adjourn the meeting. It was seconded by Vice Chairman Gunselman. Motion carried 5-0, and the meeting was adjourned at 8:05 p.m.

Jerry Uebelhor, Chairman

Dan Buck, Secretary

Recording Secretary, Kathy Pfister
(and Shelby Hettinger, Intern)